



PATENT APPLICATION
Attorney Docket No.: GOT-0011

#9
JPL
11/5/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Zongxuan JIN, et al.

Application No.: 09/863,316

Group Art Unit: 1614

Filed: May 24, 2001

Examiner: Donna A. Jagoe

For: SKIN CANCER PREVENTIVE AGENT

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PRELIMINARY RESPONSE

Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a full and timely response to the final Official Action mailed August 12, 2002.

Reexamination and reconsideration in light of the following remarks are courteously requested.

In the Office Action, the Examiner rejected claims 1 to 4 under 35 U.S.C. § 102(a) as being anticipated by, or alternatively under 35 U.S.C. § 103(a) as being unpatentable over, U.S. Patent No. 6,156,982 ("Yamada"). The cancellation of claims 1 to 4 in the prior response in no way constitutes a surrender of the right to present the claims in any subsequent proceeding.

Claim 5 to 12 are currently pending for the Examiner's consideration, and are directed to a method of inhibiting skin cancer in a mammal by administering a composition that includes sericin. In the Office Action, the Examiner concedes that "the reference (Yamada) does not teach that the sericin can be used in the manner instantly claimed, as a skin cancer preventative agent" Consequently, the presently claimed method is clearly distinguished from the Yamada patent.

It is expected that the claims are now patentable over the prior art. While "intended use"

features in composition claims are not given patentable weight unless inherent structural or compositional differences set the claims apart from the prior art, it is expected that a search has been performed involving the most pertinent art classes, which would naturally involve the field of skin cancer. Consequently, it is hoped that favorable reconsideration of the claims will allow for a speedy allowance of the application.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

Respectfully submitted,

DATE: October 28, 2002



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